

## RESOLUTION NO. A-\_\_\_\_\_

## SPECIAL PERMIT NO. 1762A

1 WHEREAS, Hampton Development Services has submitted an application  
2 designated as Special Permit No. 1762A for authority to develop Vintage Heights 3rd  
3 Addition Community Unit Plan consisting of 946 dwelling units, with waivers of the front  
4 yard setbacks from 30 feet to 5 feet, average lot width from 40 feet to 27 feet, and lot area  
5 from 5,000 square feet to 2,680 square feet, on property located at South 91st Street and  
6 Pine Lake Road, and legally described to wit:

7 Lots 4, 37, 43, 56, 59, 61, 63, and 64 Irregular Tracts, and  
8 Vintage Heights 6th - 11th Additions, all located in Section 14,  
9 Township 9 North, Range 7 East of the 6th P.M., Lincoln,  
10 Lancaster County, Nebraska;

11 WHEREAS, the real property adjacent to the area included within the site  
12 plan for this community unit plan will not be adversely affected; and

13 WHEREAS, said site plan together with the terms and conditions hereinafter  
14 set forth are consistent with the intent and purpose of Title 27 of the Lincoln Municipal  
15 Code to promote the public health, safety, and general welfare.

16 NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of  
17 Lincoln, Nebraska:

18 That the application of Hampton Development Services, hereinafter referred  
19 to as "Permittee", to develop Vintage Heights 3rd Addition Community Unit Plan consisting  
20 of 946 dwelling units, with waivers of the front yard setbacks from 30 feet to 5 feet, average  
21 lot width from 40 feet to 27 feet, and lot area from 5,000 square feet to 2,680 square feet,

1 on the property legally described above, be and the same is hereby granted under the  
2 provisions of Section 27.63.320 and Chapter 27.65 of the Lincoln Municipal Code upon  
3 condition that construction and operation of said community unit plan be in strict  
4 compliance with said application, the site plan, and the following additional express terms,  
5 conditions, and requirements:

6 1. This permit approves 946 dwelling units and variances to the front yard  
7 setbacks from 30 feet to 5 feet for lots as shown on the site plan, average lot width from  
8 40 feet to 27 feet, and lot area from 5,000 square feet to 2,680 square feet.

9 2. Before receiving building permits:

10 a. The Permittee must submit an acceptable, revised and  
11 reproducible final plan including six copies.

12 b. The construction plans must conform to the approved plans.

13 c. Final plats within the area of this CUP must be approved by  
14 the City.

15 3. Before occupying the dwelling units, all development and construction  
16 must be completed in conformance with the approved plans.

17 4. All privately-owned improvements must be permanently maintained  
18 by the owner or an appropriately established homeowners association approved by the City  
19 Attorney.

20 5. The site plan approved by this permit shall be the basis for all  
21 interpretations of setbacks, yards, locations of buildings, location of parking and circulation  
22 elements, and similar matters.

23 6. The terms, conditions, and requirements of this resolution shall be

1 binding and obligatory upon the Permittee, its successors, and assigns. The building  
2 official shall report violations to the City Council which may revoke the special permit or  
3 take such other action as may be necessary to gain compliance.

4 7. The Permittee shall sign and return the City's letter of acceptance to  
5 the City Clerk within 30 days following approval of the special permit, provided, however,  
6 said 30-day period may be extended up to six months by administrative amendment. The  
7 City Clerk shall file a copy of the resolution approving the special permit and the letter of  
8 acceptance with the Register of Deeds, filing fees therefor to be paid in advance by the  
9 Permittee.

Introduced by:

\_\_\_\_\_

Approved as to Form & Legality:

\_\_\_\_\_  
City Attorney

Approved this \_\_\_\_ day of \_\_\_\_\_, 2003:

\_\_\_\_\_  
Mayor